

REMARKS/ARGUMENTS

The office action mailed August 28, 2006 has been carefully reviewed and these remarks are responsive to that office action. Reconsideration and allowance of this application are respectfully requested.

Claims 1-17 and 19-33 were rejected under 35 USC 102(b) as being anticipated by Irvin (6,195,568). Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin (6,195,568) in view of Engstrom et al (2006/0121885).

Independent claim 1 has been amended to now claim a "system that provides an access mode, comprising: an input component that receives a signal, the signal being transmitted from a transmitter selected from the group consisting of a cell tower, a wireless network transmitting device, and a microprocessor-based device; a retrieving component that utilizes the signal to obtain the access mode and a loading component that activates the access mode to provide a user with functionally associated with the access mode.

The feature of "the signal being transmitted from a transmitter selected from the group consisting of a cell tower, a wireless network transmitting device, and a microprocessor-based device" is disclosed in the present application in Figure 4, and described in paragraphs 47 and 50: "[a] user can interact with component 410 via . . . a cell tower 440, a wireless network 450, and a microprocessor-based device 460" and "induce behavior similar to that initiated via the physical stimulus 420 and the audio stimulus 430." The primary reference cited in the Office Action (Irvin US Patent No. 6,195,568) does not disclose such interaction. The secondary reference cited in the Office Action (Engstrom US 2006/0121885) does not remedy this deficiency in the cited primary reference.

Similar amendment has been made to the other independent claims 11, 16, 23, 29, and 33.

CONCLUSION

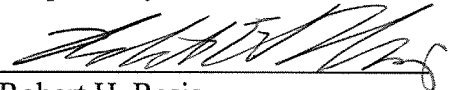
Applicant therefore respectfully requests reconsideration of the pending claims and a finding of their allowability. A notice to this effect is respectfully requested. The Examiner is invited to contact the undersigned should any questions arise with respect to this application that may be addressed by telephone.

Appln. No. 10/099,438
Amendment dated November 28, 2006
Reply to Office Action of August 28, 2006

PATENT

Dated: November 28, 2006

Respectfully submitted,

By: 
Robert H. Resis
Registration No. 32,168
Direct Dial: (312) 463-5405